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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10
11 Timothy L. Bacino, an individual; and
12 Susanne V. Bacino, an individual,

13 Plaintiffs,

14 v.

15 USAA Casualty Insurance Company; and
Does 1 through 10, inclusive,

16 Defendants.

CASE NO. 08 CV 1239 DMS RBB

**AMENDED JOINT MOTION TO
CONTINUE EARLY NEUTRAL
EVALUATION CONFERENCE AND RESET
BRIEFING SCHEDULE**

Local Civil Rules 7.2 & 16.1

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18 The parties, through their attorneys of record, hereby stipulate and jointly move for
19 an order continuing the Early Neutral Evaluation Conference from September 8, 2008, at
20 8:30 a.m. to the earliest available date and time on or after September 22, 2008, but
21 excluding October 6-16, 2008, in the chambers of Judge Ruben B. Brooks, United States
22 Courthouse, 940 Front Street, Room 1185, San Diego, California 92101.

23 The parties also stipulate and jointly move to reset any briefing deadlines applicable
24 to the Early Neutral Evaluation Conference.

25 The reason for the stipulated continuance is that, as set forth in the Notice of Non-
26 Availability of Counsel submitted on August 13, 2008 [Docket #9], Plaintiff's counsel will be
27 on a pre-paid vacation from September 4-19, 2008, and in trial from October 6-16, 2008.
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1 The attorney for the Plaintiffs is filing this Joint Motion and certifies that the Motion is
2 acceptable to all parties and their attorneys.

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4 DATED: August 15, 2008

SOLOMON WARD SEIDENWURM & SMITH, LLP

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6 By: /s/ Tanya M. Schierling
TANYA M. SCHIERLING
7 Attorneys for Plaintiffs Timothy L. Bacino and
Susanne V. Bacino

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9 DATED: August 15, 2008

DANIELS, FINE, ISRAEL, SCHONBUCH &
LEBOVITS, LLP

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11 By: /s/ Maureen M. Michail
12 MAUREEN M. MICHAIL
13 Attorneys for Defendant USAA Casualty
Insurance Company